

## BOARD OF SELECTMEN

Minutes of the Meeting of 18 January 2007 at 9:30 AM. The meeting took place in the Conference Room of the Land Bank, 22 Broad Street, Nantucket, MA 02554. Members of the Board present were, Brian Chadwick, Michael Kopko, and Whiting Willauer. Catherine Flanagan Stover was absent. Mr. Bennett joined the meeting at 10:20 AM. Chairman Willauer called the meeting to order at 9:30 AM.

Workshop Meeting Regarding 2007 Annual Town Meeting Warrant Articles. Ms. Gibson reviewed the status of pending warrant articles for the 2007 Annual Town Meeting, providing updates and additional information on these. The Board consented to support pending legislation filed by the Town of Brewster in lieu of a Town of Nantucket home rule petition on a seasonal rental tax. The Board consented to include an article regarding the acceptance of the provisions of MGL c. 32, s. 4(2)B½ to authorize a limited creditable service buyback by call firefighters/EMT's who become full-time Town employees. Ms. Gibson noted that drafts are in progress for articles regarding merging lots at the landfill for zoning compliance and possible changes to committee bylaws.

Ms. Gibson advised that Planning Department draft zoning articles are pending review by Town Counsel. She noted that two Planning Department real estate and legislative articles with regard to "yard sale" program conveyances have been drafted. She added that the Community Preservation Committee article for correction of a typographical error of the citizen article remains unchanged.

Discussion followed on a potential bylaw requiring energy efficient municipal vehicles. Ms. Gibson noted that the article is not recommended by the Administration or Town Counsel. Discussion continued on omitting this item from the 2007 warrant, suggesting that it be brought up again next year with more information. The Board consented to support the inclusion of the technical amendment to the Land Bank Act to treat all entities the same for fees due. Discussion followed on enforcing the act more effectively. The Board consented to keep the article on the list while the Chairman speaks to Town Counsel about further questions. With regard to the Land Bank article on the pledge of full faith and credit of the Town for financing, the Board agreed to include it pending the receipt of information regarding how this might affect the Town's credit rating. Craig Hunter, representing the Land Bank, spoke regarding the strong ability of the Land Bank to pay its debts, noting its reserve capital and audited financial statements. Chairman Willauer asked to view a five-year history of financial documents, which Ms. Hunter agreed to provide.

HDC Administrator Mark Voigt spoke on protecting historic buildings via an amendment to the HDC Act. Discussion followed on enforcement via planning review, inspections and proper evaluations and fines. The Board agreed to include the article, now under review by Town Counsel.

The Board reviewed two articles related to submissions by the Harbor Plan Review Committee. Discussion followed on docks and piers language of the draft harbor plan. The Board agreed to include both articles.

The Board consented to include an article for the Energy Committee funding request with regard to a municipal electrical aggregate. The Board considered the advice of Town Counsel that a bylaw requiring posting of meetings by agencies granted \$50,000 or more by the Town would be ineffective and could be met in other ways. The Board agreed to withdraw this item.

Discussion followed on a non-binding referendum regarding the proposed Sconset Beach Preservation Fund Beach Nourishment Project in the form of a ballot question versus a warrant article and the Board's educational role in either case. Mr. Kopko moved to include the item as a warrant article. Chairman Willauer seconded. Mr. Kopko and Chairman Willauer voted in favor. Mr. Chadwick and Mr. Bennett voted in opposition. Due to the tie vote, the article is not included.

Discussion followed on a sewer-related home rule petition and the need for more information for a sense of the problems to be remedied and the issues to be addressed. The Board agreed to include the item for the time being.

Ms. Gibson noted that a bylaw amendment regarding sewer districts is not recommended by Town Counsel due to illegal standing, but should be included in the home rule petition. Nancy Wheatley, Chairman of the Sewer Advisory Committee, noted important points to be included in the sewer home rule petition and shared concerns about adding extra items that could "dilute the article." She requested that the Board include the two sewer articles as separate articles. The Board agreed to do so.

Ms. Gibson advised of a new item requested by the Nantucket Hunting Association to extend its lease with the Town from 10 to 25 years. The Board agreed not to include this item. Ms. Gibson reviewed next steps and the Board asked for another workshop meeting next Wednesday, January 24, 2007 at 9:30 AM before adopting the warrant at the evening meeting.

At 11:24 AM, Chairman Willauer polled the Board and Mr. Chadwick, Mr. Kopko and Chairman Willauer voted unanimously to adjourn to executive session not to return to open session for the purpose of approving minutes and discussing litigation matters.

Approved the 7<sup>th</sup> day of February 2007.